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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

CLERK U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
CANTON

IN RE:	)	CHAPTER 13
	)	
GEORGE WILLIAM BRANSON, JR.,	)	CASE NO. 08-60093
	)	
Debtor.	)	ADV. NO. 08-6047
	)	
<u>MICHELLE L. KLINTWORTH,</u>	)	JUDGE RUSS KENDIG
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM OF OPINION</b>
	)	<b>(NOT INTENDED FOR</b>
GEORGE WILLIAM BRANSON, JR.,	)	<b>PUBLICATION)</b>
	)	
Defendant.	)	

Now before the Court is the motion for summary judgment filed by Plaintiff Michelle L. Klintworth ("Plaintiff") in the above-captioned adversary proceeding. Plaintiff filed the instant adversary on April 14, 2008, seeking a judgment that the debt owed Plaintiff by Debtor-Defendant George William Branson, Jr. ("Defendant") pursuant to an order of the Stark County Court of Common Pleas (the "state court") is nondischargeable under 11 U.S.C. § 523(a)(6).

The Court has jurisdiction of this proceeding pursuant to 28 U.S.C. §§ 1334 and the general order of reference entered in this district on July 16, 1984. Venue in this district and division is proper pursuant to 28 U.S.C. § 1409. This is a core proceeding under 28 U.S.C. 157(b)(2)(J). The following constitutes the court's findings of fact and conclusions of law pursuant to Federal Rule of Bankruptcy Procedure 7052.

This opinion is not intended for publication or citation. The availability of this opinion, in electronic or printed form, is not the result of a direct submission by the Court.

### FACTUAL AND PROCEDURAL BACKGROUND

Defendant filed for bankruptcy under Chapter 13 of the Bankruptcy Code on January 15, 2008. Plaintiff filed the instant adversary proceeding under 11 U.S.C. § 523(a)(6) on April 14, 2008.

### LEGAL ANALYSIS

This is a Chapter 13 proceeding; 11 U.S.C. § 523(a)(6) is not a bar to discharge in Chapter 13 proceedings. 11 U.S.C. § 1328(a)(2) (excluding § 523(a)(6) from the list of

debts not dischargeable in Chapter 13 proceedings).

An order denying Plaintiff's motion for summary judgment and dismissing the instant adversary will be entered concurrently with this opinion.

**/s/ Russ Kendig**

RUSS KENDIG  
U.S. BANKRUPTCY JUDGE

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